

## § 21.258

“self-employment plan”). The feasibility analysis must include—

(1) An analysis of the economic viability of the proposed business;

(2) A cost analysis specifying the amount and types of assistance that VA will provide;

(3) A market analysis for the individual’s proposed services or products;

(4) Availability of financing from non-VA sources, including the individual’s personal resources, local banks, and other sources;

(5) Evidence of coordination with the Small Business Administration to secure special consideration under section 8 of the Small Business Act, as amended;

(6) The location of the site for the proposed business and the cost of the site, if any; and

(7) A training plan to operate a successful business.

(Authority: 38 U.S.C. 3104)

[75 FR 3170, Jan. 20, 2010]

### § 21.258 Cost limitations on approval of self-employment plans.

A self-employment plan with an estimated or actual cost of less than \$25,000 may be approved by the VR&E Officer with jurisdiction. Any self-employment plan with an estimated or ac-

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tual cost of \$25,000 or more must be approved by the Director, VR&E Service.

(Authority: 38 U.S.C. 3104)

[75 FR 3170, Jan. 20, 2010]

### MONETARY ASSISTANCE SERVICES

#### § 21.260 Subsistence allowance.

(a) *General.* A veteran participating in a rehabilitation program under 38 U.S.C. chapter 31 will receive a monthly subsistence allowance at the rates in paragraph (b) of this section, unless the veteran elects to receive an alternate payment (for the purposes of part 21, subpart A, referred to as the *Post-9/11 subsistence allowance*) as specified in paragraph (c) of this section, or payment at the rate of monthly educational assistance allowance payable under 38 U.S.C. chapter 30 for the veteran’s type of training. *See* § 21.264(a) for election of payment at the chapter 30 rate and § 21.264(b) for election of the *Post-9/11 subsistence allowance*. *See* §§ 21.7136, 21.7137, and 21.7138 to determine the applicable chapter 30 rate.

(Authority: 38 U.S.C. 3108(a), 3108(b), 3108(f))

(b) *Rate of payment.* VA pays subsistence allowance at the rates stated in the following tables:

(1) Subsistence allowance is paid at the following rates effective October 1, 1994, and before November 2, 1994:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$374.93	\$465.08	\$548.05	\$39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Nonpay or nominal pay on-job training in a Federal, State, or local agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	374.93	465.08	548.05	39.95
Nonpay or nominal pay work experience in a Federal, State, or local agency:				
Full-time .....	374.93	465.08	548.05	39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Farm cooperative, apprenticeship, or other on-job training: <sup>2</sup>				
Full-time only .....	327.81	396.44	456.88	29.71
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	374.93	465.08	548.05	39.45
OJT greater than ½ time .....	327.81	396.44	456.88	29.71
Non-farm cooperative (Full-time only):				
Institutional .....	374.93	465.08	548.05	39.95
On-job .....	327.81	396.44	456.88	29.71

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Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Improvement of rehabilitation potential:				
Full-time only .....	374.93	465.08	548.05	39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
¼ time <sup>3</sup> .....	94.24	116.78	137.27	10.24

<sup>1</sup> For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

<sup>2</sup> For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>3</sup> The quarter-time rate may be paid only during extended evaluation.

(2) Subsistence allowance is paid at the following rates effective November 2, 1994, and before October 1, 1995:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$374.93	\$465.08	\$548.05	\$39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Nonpay or nominal pay on-job training in a facility of a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	374.93	465.08	548.05	39.95
Nonpay or nominal pay work experience in a facility of a Federal, State, local, or federally recognized Indian tribe agency:				
Full-time .....	374.93	465.08	548.05	39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Farm cooperative, apprenticeship, or other on-job training: <sup>2</sup>				
Full-time only .....	327.81	396.44	456.88	29.71
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	374.93	465.08	548.05	39.45
OJT greater than ½ time .....	327.81	396.44	456.88	29.71
Non-farm cooperative (Full-time only):				
Institutional .....	374.93	465.08	548.05	39.95
On-job .....	327.81	396.44	456.88	29.71
Improvement of rehabilitation potential:				
Full-time only .....	374.93	465.08	548.05	39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
¼ time <sup>3</sup> .....	94.24	116.78	137.27	10.24

<sup>1</sup> For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

<sup>2</sup> For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>3</sup> The quarter-time rate may be paid only during extended evaluation.

(3) The following table states the monthly rates of subsistence allowance payable for participation in a rehabilitation program under 38 U.S.C. Chapter 31 that occurs after September 30, 1995, and before October 1, 1996:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$385.80	\$478.57	\$563.94	\$41.11
¾ time .....	289.88	359.45	421.64	31.62
½ time .....	193.96	240.33	282.50	21.08
Nonpay or nominal pay on-job training in a facility of a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	385.80	478.57	563.94	41.11

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Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Nonpay or nominal pay work experience in a facility of a Federal, State, local, or Indian tribe agency:				
Full-time .....	385.80	478.57	563.94	41.11
¾ time .....	289.88	359.45	421.64	31.62
½ time .....	193.96	240.33	282.50	21.08
Farm cooperative, apprenticeship, or other on-job training (OJT): <sup>2</sup>				
Full-time only .....	337.32	407.94	470.13	30.57
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	385.80	478.57	563.94	41.11
OJT greater than ½ time <sup>2</sup> .....	337.32	407.94	470.13	30.57
Non-farm cooperative (Full-time only):				
Institutional .....	385.80	478.57	563.94	41.11
On-job <sup>2</sup> .....	337.32	407.94	470.13	30.57
Improvement of rehabilitation potential:				
Full-time only .....	385.80	478.57	563.94	41.11
¾ time .....	289.88	359.45	421.64	31.62
½ time .....	193.96	240.33	282.50	21.08
¼ time <sup>3</sup> .....	96.97	120.17	141.25	10.54

<sup>1</sup> For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

<sup>2</sup> For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>3</sup> The quarter-time rate may be paid only during extended evaluation.

(4) The following table states the monthly rates of subsistence allowance payable for participation in a rehabilitation program under 38 U.S.C. Chapter 31 that occurs after September 30, 1996, and before October 1, 1997:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$396.22	\$491.49	\$579.17	\$42.22
¾ time .....	297.71	369.16	433.02	32.47
½ time .....	199.20	246.82	290.13	21.65
Nonpay or nominal pay on-job training in a facility of a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	396.22	491.49	579.17	42.22
Nonpay or nominal pay work experience in a facility of a Federal, State, local, or federally recognized Indian tribe agency:				
Full-time .....	396.22	491.49	579.17	42.22
¾ time .....	297.71	369.16	433.02	32.47
½ time .....	199.20	246.82	290.13	21.65
Farm cooperative, apprenticeship, or other on-job training (OJT) <sup>2</sup>				
Full-time only .....	346.43	418.95	482.82	31.40
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	396.22	491.49	579.17	42.22
OJT greater than ½ time <sup>2</sup> .....	346.43	418.95	482.82	31.40
Non-farm cooperative (Full-time only):				
Institutional .....	396.22	491.49	579.17	42.22
On-job <sup>2</sup> .....	346.43	418.95	482.82	31.40
Improvement of rehabilitation potential:				
Full-time only .....	396.22	491.49	579.17	42.22
¾ time .....	297.71	369.16	433.02	32.47
½ time .....	199.20	246.82	290.13	21.65
¼ time <sup>3</sup> .....	99.59	123.41	145.06	10.82

<sup>1</sup> For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

<sup>2</sup> For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>3</sup> The quarter-time rate may be paid only during extended evaluation.

(5) The following table states the monthly rates of subsistence allowance payable for participation in a rehabilitation program under 38 U.S.C. Chapter 31 that occurs after September 30, 1997, and before November 1, 1998:

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Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$407.31	\$505.25	\$595.39	\$43.40
¾ time .....	306.05	379.50	445.14	33.38
½ time .....	204.78	253.73	298.25	22.26
Nonpay or nominal pay on-job training in a facility of a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	407.31	505.25	595.39	43.40
Nonpay or nominal pay work experience in a facility of a Federal, State, local, or federally recognized Indian tribe agency:				
Full-time .....	407.31	505.25	595.39	43.40
¾ time .....	306.05	379.50	445.14	33.38
½ time .....	204.78	253.73	298.25	22.26
Farm cooperative, apprenticeship, or other on-job training (OJT): <sup>2</sup>				
Full-time only .....	356.13	430.68	496.34	32.28
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	407.31	505.25	595.39	43.40
OJT greater than ½ time <sup>2</sup> .....	356.13	430.68	496.34	32.28
Non-farm cooperative (Full-time only):				
Institutional .....	407.31	505.25	595.39	43.40
On-job <sup>2</sup> .....	356.13	430.68	496.34	32.28
Improvement of rehabilitation potential:				
Full-time only .....	407.31	505.25	595.39	43.40
¾ time .....	306.05	379.50	445.14	33.38
½ time .....	204.78	253.73	298.25	22.26
¼ time <sup>3</sup> .....	102.38	126.87	148.09	11.12

<sup>1</sup>For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.  
<sup>2</sup>For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.  
<sup>3</sup>The quarter-time rate may be paid only during extended evaluation.

(6) The following table states the monthly rates of subsistence allowance payable for participation in a rehabilitation program under 38 U.S.C. Chapter 31 that occurs after September 30, 1998, and before October 1, 1999:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$413.83	\$513.33	\$604.92	\$44.09
¾ time .....	310.95	385.57	452.26	33.91
½ time .....	208.06	257.79	303.02	22.62
Nonpay or nominal pay on-job training in a facility of a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	413.83	513.33	604.92	44.09
Nonpay or nominal pay work experience in a facility of a Federal, State, local, or federally recognized Indian tribe agency:				
Full-time .....	413.83	513.33	604.92	44.09
¾ time .....	310.95	385.57	452.26	33.91
½ time .....	208.06	257.79	303.02	22.62
Farm cooperative, apprenticeship, or other on-job training (OJT): <sup>2</sup>				
Full-time only .....	361.83	437.57	504.28	32.80
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	413.83	513.33	604.92	44.09
OJT greater than ½ time <sup>2</sup> .....	361.83	437.57	504.28	32.80
Non-farm cooperative (Full-time only):				
Institutional .....	413.83	513.33	604.92	44.09
On-job <sup>2</sup> .....	361.83	437.57	504.28	32.80
Improvement of rehabilitation potential:				
Full-time only .....	413.83	513.33	604.92	44.09
¾ time .....	310.95	385.57	452.26	33.91
½ time .....	208.06	257.79	303.02	22.62
¼ time <sup>3</sup> .....	104.02	128.90	151.51	11.30

<sup>1</sup>For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

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<sup>2</sup>For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.  
<sup>3</sup>The quarter-time rate may be paid only during extended evaluation.

(7) The following table states the monthly rates of subsistence allowance payable for participation in a rehabilitation program under 38 U.S.C. Chapter 31 that occurs after September 30, 1999, and before October 1, 2000:

Type of program	No dependents	One dependent	Two dependents	Additional amount for each dependent over two
Institutional: <sup>1</sup>				
Full-time .....	\$420.45	\$521.54	\$614.60	\$44.80
¾ time .....	315.93	391.74	459.50	34.45
½ time .....	211.39	261.91	307.87	22.98
Nonpay or nominal pay on-job training in a Federal, State, local, or federally recognized Indian tribe agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor; institutional non-farm cooperative:				
Full-time only .....	420.45	521.54	614.60	44.80
Nonpay or nominal pay work experience in a Federal, State, local, or federally recognized Indian tribe agency:				
Full-time .....	420.45	521.54	614.60	44.80
¾ time .....	315.93	391.74	459.50	34.45
½ time .....	211.39	261.91	307.87	22.98
Farm cooperative, apprenticeship, or other on-job training (OJT): <sup>2</sup>				
Full-time only .....	367.62	444.57	512.35	33.32
Combination of institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	420.45	521.54	614.60	44.80
OJT greater than ½ time <sup>2</sup> .....	367.62	444.57	512.35	33.32
Non-farm cooperative (Full-time only):				
Institutional .....	420.45	521.54	614.60	44.80
On-job <sup>2</sup> .....	367.62	444.57	512.35	33.32
Improvement of rehabilitation potential:				
Full-time .....	420.45	521.54	\$614.60	\$44.80
¾ time .....	315.93	391.74	459.50	34.45
½ time .....	211.39	261.91	307.87	22.98
¼ time <sup>3</sup> .....	105.98	130.96	153.93	11.48

<sup>1</sup>For measurement of rate of pursuit, see §§21.4270 through 21.4275.  
<sup>2</sup>For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.  
<sup>3</sup>The quarter-time rate may be paid only during extended evaluation.

(Authority: 38 U.S.C. 3108, 3115(a)(1); Pub. L. 103-446)

(c) *Rate of payment of Post-9/11 subsistence allowance.* In lieu of the subsistence allowance payable under paragraph (b) of this section, VA pays the *Post-9/11 subsistence allowance* at the rates in the table at the end of this paragraph, effective August 1, 2011, based on the basic allowance for housing payable under 37 U.S.C. 403. For purposes of the following table:

(1) *BAH* means “the applicable amount of basic allowance for housing payable under 37 U.S.C. 403 for a member of the military with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution, agency, or employer providing the rehabilitation program concerned”.

(2) *BAH National Average* means “the average (*i.e.*, unweighted arithmetic mean) monthly amount of the basic allowance for housing payable under 37 U.S.C. 403 for a member of the military with dependents in pay grade E-5 residing in the United States”.

PAYMENT OF POST-9/11 SUBSISTENCE ALLOWANCE IN ACCORDANCE WITH PUBLIC LAW 111-377

[Effective August 1, 2011]<sup>1</sup>

Type of program	Payment
Institutional: <sup>2</sup>	
Full-time .....	Entire <i>BAH</i> of institution ZIP code.
¾ time .....	¾ <i>BAH</i> of institution ZIP code.
½ time .....	½ <i>BAH</i> of institution ZIP code.

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### PAYMENT OF POST-9/11 SUBSISTENCE ALLOWANCE IN ACCORDANCE WITH PUBLIC LAW 111-377—Continued

[Effective August 1, 2011]<sup>1</sup>

Type of program	Payment
Nonpay or nominal pay on-job training in a Federal, State, local, or federally recognized Indian tribe agency; vocational course in a rehabilitation facility or sheltered workshop; institutional non-farm cooperative: Full-time only .....	Entire BAH of agency or institution ZIP code.
Nonpay or nominal pay work experience in a Federal, State, local, or federally recognized Indian tribe agency: Full-time .....	Entire BAH of agency ZIP code.
¾ time .....	¾ BAH of agency ZIP code.
½ time .....	½ BAH of agency ZIP code.
Farm cooperative, apprenticeship, or other on-job training (OJT): <sup>3</sup> Full-time only .....	Entire BAH of employer ZIP code.
Combination of institutional and OJT (Full-time only): Institutional greater than ½ time. OJT greater than ½ time <sup>3</sup> .....	Entire BAH of institution ZIP code. Entire BAH of employer ZIP code.
Non-farm cooperative (Full-time only): Institutional .....	Entire BAH of institution ZIP code.
On-job <sup>3</sup> .....	Entire BAH of employer ZIP code.
Improvement of rehabilitation potential: Full-time .....	Entire BAH of institution ZIP code.
¾ time .....	¾ BAH of institution ZIP code.
½ time .....	½ BAH of institution ZIP code.
¼ time <sup>4</sup> .....	¼ BAH of institution ZIP code.
Training consisting of solely distance learning: <sup>5</sup> Full-time .....	½ BAH National Average.
¾ time .....	¾ BAH National Average.
½ time .....	¼ BAH National Average.
Training in the home, including independent instructor: Full-time only .....	½ BAH National Average.
Training in an institution not assigned a ZIP code, including foreign institutions: Full-time .....	Entire BAH National Average.
¾ time .....	¾ BAH National Average.
½ time .....	½ BAH National Average.

<sup>1</sup> Effective August 1, 2011, the *Post-9/11 subsistence allowance* may be paid in lieu of subsistence allowance authorized in § 21.260(b), and is not adjusted to include dependents.

<sup>2</sup> For measurement of rate of pursuit, see §§ 21.4270 and 21.4272 through 21.4275. Payments for courses being taken simultaneously at more than one institution are based on the BAH of the ZIP code assigned to the parent institution.

<sup>3</sup> For on-job training, payment of the *Post-9/11 subsistence allowance* may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>4</sup> The quarter-time rate may be paid only during extended evaluation.

<sup>5</sup> Payment for training consisting of both distance learning and courses taken at a local institution is based on the BAH of the ZIP code assigned to the local institution.

(Authority: 38 U.S.C. 3108, 3115(a)(1))

(d) *Subsistence allowance precluded.* A veteran may not receive a subsistence allowance when VA is providing the veteran only the following services:

- (1) Initial evaluation;
- (2) Placement and post-placement services under 38 U.S.C. 3105(b); or
- (3) Counseling.

(Authority: 38 U.S.C. 3108 (a)(1) and (a)(3))

(e) *Dependents.* The term *dependent* means a spouse, child or dependent parent who meets the definition of relationship specified in § 3.50, § 3.57 or § 3.59 of this chapter.

(Authority: 38 U.S.C. 3108(b))

[49 FR 40814, Oct. 18, 1984, as amended at 51 FR 9955, Mar. 24, 1986; 52 FR 42113, Nov. 3, 1987; 54 FR 4283, Jan. 30, 1989; 56 FR 7567, Feb. 25, 1991; 60 FR 4561, Jan. 24, 1995; 65 FR 51764, Aug. 25, 2000; 65 FR 60724, Oct. 12, 2000; 76 FR 34000, June 10, 2011; 76 FR 45703, Aug. 1, 2011]

### § 21.262 Procurement and reimbursement of cost for training and rehabilitation services, supplies, or facilities.

(a) *General.* Whenever services, supplies and facilities from source outside VA are required by any of these regulations, they shall be provided through contract, agreement of other cooperative arrangement between VA and the vendor.

(Authority: 38 U.S.C. 3115(b))

(b) *VA Acquisition Regulations.* Payments of charges for training and rehabilitation services, supplies, or facilities, authorized under Chapter 31 are subject to the provisions of applicable VA Acquisition Regulations especially 48 CFR part 831 and subpart 871.2.

(Authority: 38 U.S.C. 3115(a))